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REMARKS

This response is intended as a full and complete response to the final Office Action mailed July 28, 2005

Claims 1-14 and 19-25 are pending. Claims 15-18 are cancelled without prejudice or disclaimer. New claims 19-25 are added. The amendments contain no new matter and are fully supported by Applicant's original specification, including original claims and drawings. Applicant, by amending the claims, does not acquiesce to any characterizations in the Office Action of the art of record or the subject matter recited in the claims. Further, Applicant does not acquiesce to any statements in the Office Action as to the applicability of the art of record to the pending claims.

In view of both the amendments presented above and the following discussion, Applicant traverses the rejections and respectfully requests reconsideration of the pending claims.

The Office Action rejected claims 1-5, 17 and 18 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application 2002/0010925A1 for Kikinis ("Kikinis").

Anticipation under §102 requires the reference to teach each and every element of the claims, as arranged in the claims. Kikinis fails to teach at least synchronizing the same things in the same way as claimed.

Claim 1 recites, *inter alia*, "sending the reminder marking to a set top terminal (STT) that stores a remote EPG, during synchronization between the local EPG on the PDA and the remote EPG on the STT, the synchronization being performed only after it is determined that the PDA is in direct communication with the STT".

Kikinis fails to teach at least these elements. By contrast, Kikinis discloses that a user's programming selections are stored on the remote broadcast server 135 and that the broadcast server 135 delivers information to network 125 through network link 140, and eventually to set top box (STB) 110. (Kikinis, pg. 2, [0024], pg. 3, [0040]. In other words, selections are stored on a remote broadcast server 135 in Kikinis, while they are stored on the PDA in the claimed invention. Kikinis fails to teach any synchronization between a PDA and a STT, as claimed. Kikinis fails to teach synchronization being performed when the PDA is in direct communication with the STT, as claimed. Kikinis

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fails to teach sending any reminder marking to the STT, as claimed. The claimed invention has the advantage over Kikinis that reminder markings are stored locally on the PDA and that the PDA directly communicates with the STT to synchronize with it, instead of having going through another server. Kikinis fails to teach each and every element of claim 1, as arranged in the claims. Therefore, claim 1 is patentable over Kikinis under §102.

Claims 2-5 depend, directly or indirectly, from claim 1 and, thus, inherit the patentable subject matter of claim 1, while adding additional elements. Therefore, claims 2-5 are also patentable over Kikinis under §102.

Claim 8 recites, *inter alia*, "wherein the reminder marking is sent from the mobile computing device to a set top terminal (STT) that stores a remote EPG, during synchronization between the local EPG and the remote EPG, the synchronization being performed only after it is determined that the mobile computing device is in direct communication with the STT". For at least the reasons given for claim 1, claim 8 is also patentable over Kikinis under §102.

Claims 17 and 18 are cancelled.

Claim 19 recites, *inter alia*, "wherein the reminder marking is sent from the PDA to a set top terminal (STT) that stores a remote EPG software program, during synchronization between the local EPG software program and the remote EPG software program, the synchronization being performed only after it is determined that the PDA is in direct communication with the STT". For at least the reasons given for claim 1, claim 19 is also patentable over Kikinis under §102.

Claims 20-22 depend, directly or indirectly, from claim 19 and, thus, inherit the patentable subject matter of claim 19, while adding additional elements. Therefore, claims 20-22 are also patentable over Kikinis under §102.

Claim 23 recites, *inter alia*, "sending, by the PDA, the reminder marking to a set top terminal (STT) that stores a remote EPG software program, during synchronization between the local EPG software program on the PDS and the remote EPG software program on the STT; wherein the synchronization is performed only after it is determined that the PDA is in direct communication with the STT". For at least the reasons given for claim 1, claim 23 is also patentable over Kikinis under §102.

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Claims 24 and 25 depend, directly or indirectly, from claim 23 and, thus, inherit the patentable subject matter of claim 23, while adding additional elements. Therefore, claims 24 and 25 are also patentable over Kikinis under §102.

The Office Action rejected claims 8, 9 and 14-16 under 35 U.S.C. §103(a) as being unpatentable over Kikinis.

Claim 8 recites, *inter alia*, "wherein the reminder marking is sent from the mobile computing device to a set top terminal (STT) that stores a remote EPG, during synchronization between the local EPG and the remote EPG, the synchronization being performed only after it is determined that the mobile computing device is in direct communication with the STT".

The Official Notice in the Office Action is inapposite. Regardless of whether the use of a server to transmit EPG information to a remote device via a network is well known, Kikinis fails to teach or suggest synchronizing the same things in the same way as claimed. As discussed above, Kikinis discloses that a user's programming selections are stored on the remote broadcast server 135 and that the broadcast server 135 delivers information to network 125 through network link 140, and eventually to set top box (STB) 110. (Kikinis, pg. 2, [0024], pg. 3, [0040]. In other words, selections are stored on a remote broadcast server 135 in Kikinis, while they are stored on the PDA in the claimed invention. Kikinis fails to teach any synchronization between a PDA and a STT, as claimed. Kikinis fails to teach synchronization being performed when the PDA is in direct communication with the STT, as claimed. Kikinis fails to teach sending any reminder marking to the STT, as claimed. The claimed invention has the advantage over Kikinis that reminder markings are stored locally on the PDA and that the PDA directly communicates with the STT to synchronize with it, instead of having going through another server. For at least the reasons given for claim 1 under §102, claim 8 is also patentable over Kikinis under §103.

The Office Action rejected claims 6, 7, 10 and 11 under 35 U.S.C. §103(a) as being unpatentable over Kikinis in view of U.S. Publication 2002/0133821 for Shteyn ("Shteyn").

The combination of Kikinis and Shteyn fails to teach or suggest synchronizing the same things in the same way as claimed.

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Claims 6 and 7 depend, directly or indirectly, from claim 1 and, thus, inherit the subject matter of claim 1 that is patentable over Kikinis under §102, while adding additional elements. It is very difficult to understand the published application of Shteyn, because the detailed description appears to be describing figures other than the figures in the application. However, Shteyn also fails to teach or suggest synchronizing the same things in the same way as claimed in claim 1. By contrast, Shteyn appears to disclose direct user interaction ("more user-centric") with the ECG/EPG program and, thus, has no need for the claimed synchronizing. (Shteyn, page 1, [0004]).

Claims 10 and 11 depend, directly or indirectly, from claim 8 and, thus, inherit the subject matter of claim 8 that is patentable over Kikinis under §102, while adding additional elements. For the same reasons, given above with respect to claims 6 and 7, Shteyn fails to teach or suggest synchronizing the same things in the same way as claimed in claim 8. Therefore, claims 10 and 11 are also patentable over the combination of Kikinis and Shteyn under §103.

The Office Action rejected claims 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over Kikinis in view of U.S. Patent 5,699,107 to Lawler ("Lawler").

Claims 12 and 13 depend, directly or indirectly, from claim 8 and, thus, inherit the subject matter of claim 8 that is patentable over Kikinis under §102, while adding additional elements. Lawler fails to teach or suggest synchronizing the same things in the same way as claimed in claim 8. By contrast, Lawler teaches storing reminders at the headend 12 in a subscriber database in the service and application servers 30. (Lawler, col. 2, lines 37-38, col. 4, lines 37-49). As a consequence, there is no need for the claimed synchronizing. Therefore, claims 12 and 13 are also patentable over the combination of Kikinis and Lawler under §103.

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CONCLUSION

Thus, Applicant submits that none of the claims presently in the application are anticipated or obvious under the respective provisions of 35 U.S.C. §102 and §103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: _____9/7/05_____   _____ＥＪＷall_____

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